IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3753 OF 2004

Shri Shivanand Sommanna Basargi ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.S.V.Pitre for Applicant .

Mr.D.R.More, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

SEPTEMBER 28, 2004.

P.C.

1. Heard Counsel for the parties.

2. Mr.More, A.P.P., on instructions, states that there is no overt act ascribed to the Applicant herein in the commission of alleged offence. The only basis to implicate Applicant, appears to be recovery of bicycle at his instance. As the investigation is already complete and charge-sheet is filed and the Applicant being of

advanced age, requiring medical assistance, coupled with the fact that no overt act is ascribed to him, applicant deserves to be enlarged on bail. In the circumstances, applicant is enlarged on bail on the following conditions:

(a) The applicant is released on bail in connection with Crime No.15 of 2004 registered with Umadi Police Station, District Sangli, on executing personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand) and two local sureties in the like amount.

(b) The Applicant shall not enter the jurisdiction of Jat Police Station. The Applicant shall, however, give intimation regarding his address, where he intends to reside, to the Investigating Officer as well as the Registrar of the concerned Sessions Court.

(c) The Applicant to report to the nearest Police Station on first Saturday of every

month till the conclusion of the trial.

(d) The Applicant shall not influence the prosecution witness or tamper with the evidence in any manner whatsoever.

(e) The Applicant shall make himself available on all the dates before the Trial Court during the trial and shall extend full co-operation for early disposal of the case. If the Trial Court is of the view that the Applicant is creating obstacle in early disposal of the case, that will be a ground for cancellation of his bail.

. All concerned to act on the ordinary copy of this order, duly authenticated as true copy by the Office.

A.M.KHANWILKAR, J.